

REMARKS

Claims 1-6, 8-13, 15 and 16 are pending in this application. By this Amendment, claims 8-13 are amended. The amendments introduce no new matter. Claim 14 is canceled without prejudice to, or disclaimer of, the subject matter recited in that claim. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, objects to claim 14 for informalities. The cancellation of claim 14 renders this objection moot.

The Office Action, in paragraph 4, rejects claims 8-14 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 8-13 are amended to obviate the rejection.

Accordingly, reconsideration and withdrawal of the rejection of claims 8-13 under 35 U.S.C. §112, second paragraph, as being indefinite are respectfully requested.

The Office Action, in paragraph 8, rejects claims 1-6 and 8-16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,076,593 to Sullivan et al. (hereinafter "Sullivan") in view of JP 2003-253067 to Kawahigashi et al. (hereinafter "Kawahigashi"). Applicants respectfully traverse this rejection.

Kawahigashi is not available as a prior art reference because Applicants claim priority from JP 2003-111554 (hereinafter "JP '554") filed on April 16, 2003, which predates the September 10, 2003 publication date of Kawahigashi. A claim for priority and a certified copy of the priority document were filed on April 15, 2004. An accurate English-language translation of the priority document is attached, which includes a statement that the translation is accurate.

Because Kawahigashi is not available as a prior art reference, Sullivan and Kawahigashi are not combinable to render obvious the subject matter of pending claims 1-6, 8-13, 15 and 16. Accordingly, reconsideration and withdrawal of the rejection of claims 1-6,

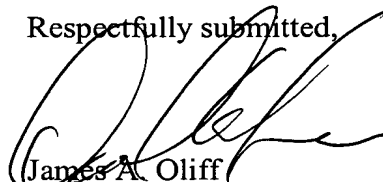
8-13, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Sullivan and Kawahigashi are respectfully requested.

Additionally, Applicants respectfully submit that the commercial success of the subject matter of the pending claims is secondary evidence of nonobviousness, as discussed in MPEP §716.03. Since October 2005, Japanese companies manufacturing motorcycles have been using piston seals according to the subject matter of the pending claims. Thirty thousand such piston seals are estimated to be sold each month. Additionally, these piston seals will soon be used in manufacturing disc brakes for automobiles. The piston seals that are the subject matter of the pending claims are widely sought and are experiencing successful results in the market.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6, 8-13, 15 and 16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:KDB/brc

Attachment:

English-Language Translation of Priority Document
JP 2003-111554
Statement regarding accuracy of the English-Language Translation

Date: April 13, 2006

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